

REMARKS

Claims 1, 2, 5, 9, 14, 16, 27, 29-31, 40, 41, and 47-52 are pending in this application.

Of these, claims 1, 2, 5, and 47-52 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter and 35 U.S.C. § 112, first paragraph as lacking a written description, and claims 16, 27, and 29-31 stand rejected under 35 U.S.C. § 112, first paragraph as lacking enablement. In addition, the Office has required that priority information be added to the specification. Each of these issues is addressed below.

Priority Information

By the present amendment, Applicants as required have inserted all priority information (as indicated in the Official Filing Receipt) into the first page of the specification. No new matter is added by this amendment.

Rejection of Claims 1, 2, 5, and 47-52

Claims 1, 2, 5, and 47-52 stand rejected under 35 U.S.C. § 101 and 35 U.S.C. § 112, first paragraph. With respect to these rejections, the Office has requested that the claims be amended to replace the term “nucleic acid separated from its natural source” with the term “isolated.” These claims have been amended as suggested, and these rejections may be withdrawn. Support for this amendment is found in the specification, for example, at page 1, line 7 and page 4, lines 27-30.

For the record, Applicants do not agree with these rejections and reserve the right to pursue this subject matter in this or a future, related application.

Rejections of Claims 16, 27, and 29-31

Claims 16, 27, and 29-31 stand rejected under 35 U.S.C. § 112, first paragraph as lacking enablement. These claims have been canceled, rendering this rejection moot.

Again, for the record, Applicants do not agree with this rejection; these claims will be pursued in a continuation application.

Claims 14, 40, and 41

Applicants acknowledge the indication in the previous Action that claims 14, 40, and 41 are objected to but would be allowable if claims 1, 2, and 5 (to which they refer) were rewritten in allowable form. The appropriate amendments have been made, and claims 14, 40, and 41 should now be allowable.

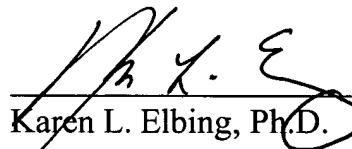
CONCLUSION

Applicants submit that the claims are in condition for allowance, and such action is respectfully requested.

If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

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